

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

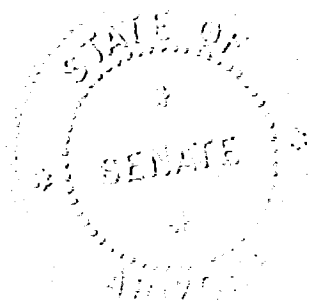
CHAPTER 123

HOUSE BILL 2345

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 36-413; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 36, chapter 4, article 1, Arizona Revised Statutes, is amended by adding section 36-413, to read:

36-413. Nutrition and feeding assistants; training programs; regulation; civil penalty; definition

A. THE DEPARTMENT MAY ADOPT RULES TO PRESCRIBE MINIMUM STANDARDS FOR TRAINING PROGRAMS FOR NUTRITION AND FEEDING ASSISTANTS IN LICENSED SKILLED NURSING FACILITIES, INCLUDING INSTRUCTOR QUALIFICATIONS, AND MAY GRANT, DENY, SUSPEND AND REVOKE APPROVAL OF ANY TRAINING PROGRAM THAT VIOLATES THESE STANDARDS. THESE STANDARDS MUST INCLUDE:

1. SCREENING REQUIREMENTS.
2. INITIAL QUALIFICATIONS.
3. CONTINUING EDUCATION REQUIREMENTS.
4. TESTING REQUIREMENTS TO ASSURE COMPETENCY.
5. SUPERVISION REQUIREMENTS.
6. REQUIREMENTS FOR ADDITIONAL TRAINING BASED ON PATIENT NEEDS.
7. MAINTENANCE OF RECORDS.
8. SPECIAL FEEDING REQUIREMENTS BASED ON LEVEL OF CARE.

B. PURSUANT TO SECTION 36-431.01, THE DEPARTMENT MAY IMPOSE A CIVIL PENALTY ON A TRAINING PROGRAM THAT VIOLATES STANDARDS ADOPTED BY THE DEPARTMENT.

C. IF THE DEPARTMENT ADOPTS STANDARDS FOR TRAINING PROGRAMS PURSUANT TO SUBSECTION A OF THIS SECTION, THE DEPARTMENT, AS PART OF ITS ROUTINE INSPECTION OF A HEALTH CARE FACILITY THAT PROVIDES A TRAINING PROGRAM, SHALL DETERMINE THE FACILITY'S COMPLIANCE WITH THESE STANDARDS.

D. FOR THE PURPOSES OF THIS SECTION, "NUTRITION AND FEEDING ASSISTANT" HAS THE SAME MEANING AS PAID FEEDING ASSISTANT AS DEFINED IN 42 CODE OF FEDERAL REGULATIONS PART 483 AND SECTION 488.301.

APPROVED BY THE GOVERNOR APRIL 19, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2004.



Passed the House March 8, 2004,

Passed the Senate April 6, 2004,

by the following vote: 51 Ayes,

by the following vote: 26 Ayes,

7 Nays, 2 Not Voting

4 Nays, 0 Not Voting

Jake Flake
Speaker of the House

Ken Blunt
President of the Senate

Norman L. Moore
Chief Clerk of the House

Charles Belmont
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

H.B. 2345

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 13, 2004,

by the following vote: 53 Ayes,

5 Nays, 2 Not Voting

Jake Flake
Speaker of the House

Shirley L. Frye
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

13th day of April, 2004

at 12:59 o'clock P. M.

Jennifer Upbarra
Secretary to the Governor

Approved this 19 day of

April, 2004,

at 11⁴⁰ o'clock A. M.

J. T. Nagel
Governor of Arizona

H.B. 2345

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 19 day of April, 2004

at 4:30 o'clock P. M.

Janice K. Brewer
Secretary of State